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Chief Executive Officer

County of Los Angeles
CHIEF EXECUTIVE OFFICE

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"To Enrich Lives Through Effective And Caring Service"

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January 14, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

14 January 14, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**COUNTY FILM POLICY
(ALL DISTRICTS AFFECTED) (3 VOTES)**

SUBJECT

Recommendation to approve a policy as directed by the Board that supports filming activity in Los Angeles County, while balancing these objectives with the interests of communities and County government.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve and adopt a "County Filming Policy", effective upon Board approval, to promote the establishment of permit policies, regulations, and best practices that support filming activity in Los Angeles County, balancing these objectives with the interests of communities and County government.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On July 24, 2012, on motion of Supervisor Knabe, the Board directed the Chief Executive Office (CEO) to revise the County's current film practices in accordance with the recently revised California Film Commission's (CFC's) Model Film Ordinance (MFO), and review the accompanying suggested Best Practices for incorporation into the County's practices to the extent practicable. Consistent with the Board's direction, the recommended Policy supports filming activity and encourages the retention of filming industry in Los Angeles County, balancing the interests of communities and County government.

FISCAL IMPACT/FINANCING

There is no direct fiscal impact related to the recommended adoption of this Policy.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On May 1, 2012, the CFC adopted a revised statewide MFO and Best Practices based on extensive stakeholder outreach to the film industry and State and local governments.

On July 5, 2012, the Southern California Association of Governments' Regional Council unanimously moved to encourage its 191 member cities and six counties to adopt a version of the CFC MFO and Best Practices that fits their particular needs.

As noted above, on July 24, 2012, on motion of Supervisor Knabe, the Board directed the CEO to revise the County's current film practices in accordance with the revised CFC MFO and Best Practices for incorporation into the County's practices to the extent practicable.

On July 31, 2012, the CEO advised the Board that incorporating the CFC's MFO and Best Practices into the County's current practices via a Board Policy would be the best approach. The recommended approach effectively expresses the Board's support for facilitating the County's interaction with the filming industry, and encourages retention of this important economic industry.

On January 24, 2013, the County's Audit Committee approved recommended Policy for submission to the Board.

At the Board meeting on April 30, 2013, Supervisor Knabe requested the Chief Executive Officer to remove Section 7 of the film policy and bring it back to the Board for consideration at a later date.

Section 7 of the originally proposed policy was titled Guidelines and Best Practices for Filming Activities, and contained protocols and procedures such as permit submission timeframe requirement, standard filming hours, Board's ability to lower fees for student or charitable productions, business license waiver, notification/survey radius requirement, cleanup, flood/traffic control, parking, etc. The existence of these protocols and procedures are needed to inform both the public and County departments regarding filming-related activities. Therefore, after further discussions, the recommendation is to remove the content of this section in the proposed policy (Attachment I), but create a separate document containing these protocols and procedures (Attachment II), and make this document available via a link in the Reference section of the proposed Policy.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This Policy will encourage and allow County departments to streamline, modify, and/or establish policies, regulation, and best practices in their operations to retain and encourage filming activity in Los Angeles County. This Policy will encourage and allow County departments to streamline, modify, and/or establish policies, regulation, and best practices in their operations to retain and encourage filming activity in Los Angeles County.

The Honorable Board of Supervisors

1/14/2014

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', with a long horizontal line extending to the right.

WILLIAM T FUJIOKA

Chief Executive Officer

WTF:SHK

FC:ib

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Auditor-Controller
Beaches and Harbors
Fire
Internal Services
Military and Veterans Affairs
Museum of Art
Music Center
Natural History Museum
Parks and Recreation
Public Health
Public Works
Regional Planning
County Commission on Local Government
Services
Los Angeles Economic Development
Corporation
FilmL.A.



Los Angeles County BOARD OF SUPERVISORS POLICY MANUAL

Policy #:	Title:	Effective Date:
0.000	COUNTY FILMING POLICY	00/00/00

PURPOSE

To promote the establishment of permit policies, regulations, and best practices that increase or retain filming activity in Los Angeles County, while balancing the concerns of communities and County government.

REFERENCE

July 24, 2012 Board Order

July 31, 2012 Chief Executive Officer memorandum entitled: "California Film Commission's Model Film Ordinance And Best Practices"

January 7, 2014 "Guidelines and Best Practices for Filming Activities for County of Los Angeles"

POLICY

The County Board of Supervisors recognizes the economic importance of the filming industry to the region in terms of economic activity, tax revenue, jobs, and tourism. The following policies and procedures are adopted by the Board to retain and increase filming activities in Los Angeles County, while balancing the concerns of communities and county government.

I. DEFINITIONS:

- a. "Filming Activity" shall mean motion picture, television, and commercial still photography filming activities and include all activity attendant to staging or shooting commercial motion pictures, television shows or programs, commercials, and student films produced to satisfy a post-secondary school course requirement at an educational institution in any medium including film, tape or digital format.
- b. "Charitable filming activities" shall mean commercials, motion pictures, television, videotapes, digital recording or still photography produced by a nonprofit organization, which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, tapes or photos.

- c. "News Media filming activities" shall mean the photographing, filming or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for print media by reporters, photographers or camerapersons.
- d. "Studio filming activities" shall be those filming activities described above that take place in a fixed place of business certified as such by local fire authority having jurisdiction.
- e. "Personal/Family filming activities" shall be those recording activities of visual images (motion or still photography) solely for private personal use, and not for commercial use.

II. PERMITS AND EXEMPTIONS:

- a. Permit required: No person shall use any public or private property, facility or residence in the County's unincorporated areas for the purpose of Filming Activity without first applying for and receiving a permit from the County.
 - 1) Exemptions: The permit requirements described above shall not apply to News Media filming activities, Studio filming activities, and Personal/Family filming activities.

III. RULES AND REGULATIONS:

- a. Rules: The County will promulgate rules and regulations, subject to approval by resolution of the Board, governing the form, time and location of any film activity set forth within the County. The County shall also provide for the issuance of permits. The rules and regulations may be based upon the following criteria:
 - 1) The health and safety of all persons;
 - 2) Mitigation of disruption to all persons within the affected area;
 - 3) The safety of property within the County; and
 - 4) Traffic congestion at particular locations within the County.

IV. APPLICANTS AND ISSUANCE:

- a. Issuing Authority: the issuing authority shall be the County.
- b. Applications: The following information may be included in the application:
 - 1) The specific location at such address or place;
 - 2) The inclusive hours and dates such filming activity will occur;
 - 3) A general statement of the character or nature of the proposed filming activity;
 - 4) The name, address, email address, and telephone number of the person or persons in charge of such filming activity;
 - 5) The exact number of personnel to be involved on-site;
 - 6) A description of the activities that may cause public alarm such as the use of any animals, gunfire, pyrotechnics, or helicopter activity; and
 - 7) The exact number and type of vehicles, and amount and type of equipment, to be used for the filming activities, along with a parking plan.

- c. Fee Schedule: The County shall adopt a fee schedule.
- d. Reimbursement for Personnel: The production company shall reimburse the County for any personnel provided to the company (e.g., police, fire, traffic) for the purpose of assisting the production.
- e. Change of Date: Upon the request of the applicant, the issuing authority shall have the power, upon a showing of good cause, to change the date for which the permit has been issued, provided established limitations are complied with in respect to time and location.

V. INDEMNIFICATION AND INSURANCE PROVISIONS

- a. Indemnification: Permittee shall indemnify defend and hold harmless the County, its special districts, elected and appointed officers, employees, agents and volunteers ("County Indemnitees") from and against any and all liability, including but not limited to demands, claims, actions, fees, cost and expenses (including attorney and expert witness fees), arising from and /or related to the permit, except for such loss or damage from the sole negligence or willful misconduct of the County Indemnitees.
- b. Insurance: The permit shall not be effective until permittee has submitted satisfactory evidence of general liability insurance, workers' compensation insurance, automobile insurance and employers' liability insurance conforming to the requirements of the County. The type, coverage, policy limits and other conditions of insurance shall be that required by the County at the time the permit is issued, unless a different type, coverage, policy limits and other conditions of insurance are specified in the permit.

VI. VIOLATION:

If an applicant violates any provisions of this Policy or a permit issued pursuant thereto, the County may provide the applicant with verbal or written notice of such violation. If the applicant fails to correct the violation, the County may revoke the permit and all activity must cease.

RESPONSIBLE DEPARTMENT

Chief Executive Office

DATE ISSUED/SUNSET DATE

Issue Date: January 7, 2014

Sunset Date: January 6, 2018

**GUIDELINES AND BEST PRACTICES FOR FILMING ACTIVITIES
IN COUNTY OF LOS ANGELES**

- a. Timely issuance of film permits: An applicant will be required to submit a complete and accurate permit request at least three business days prior to the date on which such person desires to conduct an activity for which a permit is required. Incomplete and/or inaccurate applications will require additional processing time. If such activity interferes with traffic or involves potential public safety hazards, an application with Traffic Control Plans may be required at least 10 business days in advance.
- b. Standard hours for film activities: 7:00 a.m. – 10:00 p.m. for residential zones.
- c. Reasonable permit fees: Permit fees shall be established at reasonable rates consistent with fees charged by similar surrounding jurisdictions and stay within those limits. If appropriate, the Board of Supervisors may reduce permit fees for accredited student or charitable productions.
- d. Business license waiver: Business license shall not be required for temporary filming activities.
- e. County liaison: The County will have a liaison for coordinating permits who will have the authority to make decisions as the community representative prior to and during filming. The liaison should be aware of any previous film production within the community and remain sensitive to local citizens' concerns.
- f. Centralized filming website: A centralized filming website accessible on the internet clearly listing all County film regulations, permit and insurance requirements, fee schedules and liaison contact information should be created and maintained.
- g. Notification: All residents and merchants within a 500 feet radius of the film location must receive notice of filming dates, times, location address and production company contact at least 24 hours prior to the first film activity. When parking production vehicles on a public street, residents and merchants impacted by the parking must receive notice at least 24 hours prior to the arrival of the vehicles.
- h. Surveys: Require a survey of affected residents and/or businesses within a 300 ft. radius when the filming includes extraordinary activities such as full street closure, requests to film beyond the standard hours, and requests to film for extended periods of time.
- i. Clean up: The permittee shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the cleanup of trash and debris. The area used shall be cleaned of trash and debris upon completion of filming activity at the scene and restored to the original condition before leaving the site.

- j. **Filming on Private Property:** An applicant is required to obtain the property owner's permission, consent, and/or lease for use of property not owned or controlled by the County.
- k. **Flood Control (if applicable):** When filming in a flood control channel, an applicant must vacate channel when permit indicates because of water releases. When filming in or on flood control properties, the Flood Control District must be named as an additional insured.
- l. **Public Works Department (Road and Streets):** If the applicant must park equipment, trucks, and/or cars in zones that does not permit it, temporary "No Parking" signs must be posted with approval of the local authority. The applicant must also obtain permission to lay and safely mat cable across sidewalks, or from generator to service point.
- m. **Traffic Control:** For filming that would impair traffic flow, an applicant must use California Highway Patrol (CHP), County Sheriff or local law enforcement personnel as appropriate to the locality and comply with all traffic control requirements deemed necessary.
 - 1) An applicant shall furnish and install advance warning signs and any other traffic control devices in conformance with the California Manual on Uniform Traffic Control Devices (California MUTCD), current edition. All appropriate safety precautions must be taken.
 - 2) For any lane closure, the period of time that traffic may be restricted will be determined by the County, based on traffic volumes for location and time of day.
 - 3) Any emergency roadwork or construction by County crews and/or private contractors, under permit or contract to the appropriate department, shall have priority over filming activities.
- n. **Municipal Parking Lots:** When parking in a municipal parking lot, an applicant may be billed according to the current rate schedule established by the County. In order to assure the safety of citizens in the surrounding community, access roads to beaches, which serve as emergency service roads, must never be blocked. No relocation, alteration, or moving of beach structures will be permitted without prior approval.

Effective: 1/07/2014